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EXAMINER	
LIU, I JUNG	
ART UNIT	**PAPER NUMBER**
3691	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/002,948	ALEXANDER ET AL.	
	Examiner	Art Unit	
	Marissa Liu	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/18/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Clam 19 and 23-24 are rejected under 35 U.S.C. 102(b) as being unpatentable by Simon et al., U.S. 6,195,648 B1 (PTO-892 reference B).

3. As per claim 19, Simon et al. teaches a system for leasing a motor vehicle to a credit challenged consumer comprising:

a device capable upon activation of rendering the vehicle operable for a predetermined period of time, the vehicle otherwise being inoperable with the installed device (see column abstract, Fig. 3, column 1, line 60-column 2, line 38 and column 10, lines 9-56);

means for obtaining a funded lease for the vehicle (see column 10, lines 9-56); and

a means for activating the device upon payment of a predetermined lease amount (see column 10, lines 9-56).

4. As per claim 23, Simon et al. teaches a system of claim 19 described above. Simon et al. further teaches comprise a device for tracking the vehicle selected from the group consisting of a Global Positional System device and a Radio Frequency Identification device (see column 7, lines 39-53).

5. As per claim 24, Simon et al. teaches the system of claim 19 described above. Simon et al. further teaches wherein the means for activating the device includes transferring an authorization code selected from the group consisting of using a keypad, via radio waves and via a cellular telephone (see column 7, lines 38-53, where "radio frequency" is equivalent of "radio wave" and column 10, lines 19-20).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1-2, 4-18 and 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andersen et al., U.S. Patent No.: 5,774,883 (PTO-892 reference A) in view of Simon et al., U.S. 6,195,648 B1 (PTO-892 reference B).

8. As per claim 1, Andersen et al. teaches a method for leasing a motor vehicle to a credit challenged customer comprising the steps of:

selecting a vehicle (see column 20, lines 36-40);

approving a lease for the vehicle (see column 24, lines 42-55);

funding the lease (see column 24, lines 42-55);

delivering the vehicle to the customer (see column 23, lines 4-8 and column 24, lines 42-55).

Andersen et al. does not teaches:

selecting and installing into the vehicle a device capable upon activation of rendering the

vehicle operable for a predetermined period of time, the vehicle otherwise being inoperable with the installed device;

activating the device to render the vehicle operable for a predetermined lease period after receiving a predetermined lease payment from the customer for the predetermined lease period. Simon et al. teaches:

selecting and installing into the vehicle a device capable upon activation of rendering the vehicle operable for a predetermined period of time, the vehicle otherwise being inoperable with the installed device (see abstract, Fig. 3, column 1, lines 60-column 2, lines 38 and column 10, lines 9-56);

activating the device to render the vehicle operable for a predetermined lease period after receiving a predetermined lease payment from the customer for the predetermined lease period (see abstract, Fig. 3, column 1, line 60-column 2, line 38 and column 10, lines 9-56).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add selecting and installing into the vehicle a device and activating the device features to the method of Andersen et al. because Simon teaches that adding the features help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

9. As per claim 2, Simon et al. and Andersen et al. teach the method of claim 1 described above. Anderson et al. further teaches wherein the step of funding the lease further includes the step of acquiring a line of credit (see Fig. 3a, Fig. 12, Fig. 13a and column 3, lines 7-27).

10. With reference to claim 4, the specifics of the lease and selected vehicle can be construed as nonfunctional descriptive material and are not functionally related to the method for leasing said selected vehicle. Said non-functional descriptive material is given little patentable weight.

See Gulack, 703 F.2d at 1384, 217 USPQ at 403; see also Diehr, 450 U.S. at 191, 209 USPQ at 10.

11. With reference to claim 5, the specifics of the lease and selected vehicle can be construed as non-functional descriptive material and are not functionally related to the method for leasing said selected vehicle. Said non-functional descriptive material is given little patentable weight. See Gulack, 703 F.2d at 1384, 217 USPQ at 403; see also Diehr, 450 U.S. at 191, 209 USPQ at 10.

12. With reference to claim 6, the specifics of the lease and selected vehicle can be construed as non-functional descriptive material and are not functionally related to the method for leasing said selected vehicle. Said non-functional descriptive material is given little patentable weight. See Gulack, 703 F.2d at 1384, 217 USPQ at 403; see also Diehr, 450 U.S. at 191, 209 USPQ at 10.

13. With reference to claim 7, the specifics of the maximum net capitalized cost can be construed as non-functional descriptive material and are not functionally related to the method for leasing. Said non-functional descriptive material is given little patentable weight. See Gulack, 703 F.2d at 1384, 217 USPQ at 403; see also Diehr, 450 U.S. at 191, 209 USPQ at 10.

14. As per claim 8, Simon et al. and Andersen et al. teach the method of claim 1 described above. Andersen et al. further teaches the step of approving the lease is performed electronically (see column 3, lines 11-16 and column 3, lines 43-47).

15. As per claim 9, Simon et al. and Andersen et al. teach the method of claim 1 described above. Andersen et al. further teaches wherein the step of approving the lease is performed by a reviewer (see abstract).

16. As per claim 10, Simon et al. and Andersen et al. teach the method of claim 1 described above. Simon et al. further teaches including the step of tracking predetermined lease information by a microprocessor.

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add step of tracking predetermined lease information by a microprocessor feature to the method of Andersen et al. because Simon teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

17. As per claim 11, Simon et al. and Andersen et al. teach the method of claim 1 described above. Simon et al. further teaches including the step of transferring lease information to a third party wherein the third party tracks the lease and issues at least one predetermined lease schedule (see Fig. 1 and Fig. 2, column 7, lines 40-50, and abstract).

18. As per claim 12, Simon et al. and Andersen et al. teach the method of claim 1 described above. Simon et al. further teaches wherein the device capable upon activation of rendering the vehicle operable for a predetermined period of time comprises a device with a microprocessor connected to the vehicle's ignition system to prevent starting of the vehicle without a predetermined authorization (see Figs. 1-3, column 2, lines 22-55 and column 6, line 50-column 7, line 3).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add the device capable upon activation of rendering the vehicle operable for a predetermined period of time comprises a device with a microprocessor connected to the vehicle's ignition system to prevent starting of the vehicle without a predetermined

authorization feature to the method of Andersen et al. because Simon teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

19. As claim 13, Simon et al. and Andersen et al. teach the method of claim 1 described above. Simon et al. further teaches wherein the step of activating the device comprises transferring an authorization code selected from the group consisting of using a keypad, via radio waves and via a cellular telephone (see column 7, lines 38-53, where "radio frequency" is equivalent of "radio wave" and column 10, lines 19-20).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add the step of activating the device feature to the method of Andersen et al. because Simon teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

20. As per claim 14, Simon et al. and Andersen et al. teach the method of claim 13 described above. Simon et al. further teaches wherein the step of activating the device to render the vehicle operable for the predetermined lease period comprises the steps of:

entering into the microprocessor upon delivery of the vehicle to the customer a plurality of predetermined authorization codes, each of the codes upon activation rendering the vehicle operable for the predetermined period; supplying to the customer the authorization code for a paid predetermined period; and entering into the microprocessor the authorization code for the paid predetermined period, thereby rendering the vehicle operable for the paid predetermined period (see abstract, column 1, line 62-column 2, line 55, and column 6, line 50-column 7, line 3).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add entering into the microprocessor upon delivery of the vehicle to the customer a plurality of predetermined authorization codes feature to the method of Andersen et al. because Simon teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

21. As per claim 15, Simon et al. and Andersen et al. teach the method of claim 14 described above. Simon et al. further teaches wherein the paid predetermined period is a lease payment period (see column 10, lines 31-56).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add the paid predetermined period is a lease payment period feature to the method of Andersen et al. because Simon teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

22. As per claim 16, Simon et al. and Andersen et al. teach the method of claim 14 described above. Simon further teaches the plurality of predetermined authorization codes includes an emergency code for allowing the vehicle to be operated for a period of predetermined short duration in response to an emergency and a reset code for resetting a previously activated emergency code (see column 7, lines 18-53).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add the plurality of predetermined authorization codes includes an emergency code feature to the method of Andersen et al. because Simon teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

23. As per claim 17, Simon et al. and Andersen et al. teach the method of claim 1 described above. Simon et al. further including the step of selecting and installing in the vehicle a device for tracking the vehicle selected from the group consisting of a Global Positional System device and a Radio Frequency Identification device (see column 7, lines 39-53).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add Radio Frequency Identification device feature to the method of Andersen et al. because Simon teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

24. As per claim 18, Simon et al. and Andersen et al. teach the system for leasing a motor vehicle to a credit challenged consumer created by the method of claim 1 described above.

25. As per claim 28, Andersen et al. teach a system for setting-up a leasing company and leasing motor vehicles to consumers, the system comprising:

means for providing assistance in acquiring a line of credit for the leasing company from a financial institution (see column 3, lines 7-27);

means for providing assistance in acquiring insurance for the leasing company (see column 3, lines 34-39);

means for selecting a customer satisfying predetermined guidelines to receive a lease of a motor vehicle (see abstract);

means for selecting a motor vehicle satisfying predetermined criteria for the selected customer based on a predetermined payment amount in a predetermined time frame for a predetermined term (see abstract);

means for providing assistance in completing required papers for a lease of the selected motor vehicle by the selected customer (see column 15, lines 1-14); and

Andersen et al. does not teach:

means for disabling the selected motor vehicle to prevent operation of the selected motor vehicle in response to a failure of the selected customer in making the predetermined payments in the predetermined time frame.

Simon et al. teaches:

means for disabling the selected motor vehicle to prevent operation of the selected motor vehicle in response to a failure of the selected customer in making the predetermined payments in the predetermined time frame (see abstract and column 10, lines 9-56).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add means for disabling the selected motor vehicle to prevent operation of the selected motor vehicle in response to a failure of the selected customer in making the predetermined payments in the predetermined time frame feature to the system of Andersen et al. because Simon teaches that adding the features help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

26. As per claim 29, Simon et al. and Andersen et al. teach the system of claim 28 described above. Andersen further teaches further comprising:

means for providing assistance in selecting a reviewer of lease applications; means for submitting complete lease applications to the reviewer; and means for tracking leases approved by the reviewer (see column abstract, column 20, 36-43 and column 24, lines 42-53).

27. As per claim 30, Simon et al. and Andersen et al. teach the system of claim 28 described above. Andersen et al. teaches wherein the means for providing assistance in acquiring a line of credit for the leasing company from a financial institution further comprises:

means for determining an approximate amount for the line of credit (see abstract, Figs. 1 and 12); and means for determining an interest rate for the line of credit, and column 6, lines 19-21).

28. With reference to claim 31, the specifics of the lease and selected vehicle can be construed as non-functional descriptive material and are not functionally related to the method for leasing said selected vehicle. Said non-functional descriptive material is given little patentable weight. See Gulack, 703 F.2d at 1384, 217 USPQ at 403; see also Diehr, 450 U.S. at 191, 209 USPQ at 10.

29. Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Andersen et al., U.S. Patent No.: 5,774,883 (PTO-892 reference A) in view of Simon et al., U.S. 6,195,648 B1 (PTO-892 reference B) and further in view of Eiphick et al., U.S. Patent Number: 5,218,539 (PTO-892 reference C).

30. As per claim 3, Simon et al. and Andersen et al. teach the method of claim 2 described above. Eiphick et al. further teaches wherein the value of the line of credit is substantially equal to an amount of business anticipated during a predetermined period (see column 5, line 67-column 6, line 6).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add the value of the line of credit is substantially equal to an amount of business anticipated during a predetermined period feature to the method of Simon et al. and

Andersen et al., because Simon et al. teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

31. Claims 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Simon et al., U.S. 6,195,648 B1 (PTO-892 reference B) in view of Eiphick et al., U.S. Patent Number: 5,218,539 (PTO-892 reference C).

32. As per claim 20, Simon et al. teaches the system of claim 19 described above. Eiphick et al. further teaches wherein the funded lease is funded by a leasing company and the means for obtaining a funded lease comprises means for calculating a revolving line of credit substantially equal to an amount of business anticipated during a predetermined period for the leasing company (see column 5, line 67-column 6, line 6).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add the value of the line of credit is substantially equal to an amount of business anticipated during a predetermined period feature to the method of Simon et al., because Simon et al. teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

33. Claims 21-22 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Simon et al., U.S. 6,195,648 B1 (PTO-892 reference B) in view of Andersen et al., U.S. Patent No.: 5,774,883 (PTO-892 reference A).

34. As per claim 21 Simon et al. teaches the system of claim 19 described above. Simon et al. further teaches including a microprocessor (see column 6, lines 49-7, line 3);

Simon et al. does not teach the following parts of the claim:

for providing at least one predetermined system parameter in electronic form selected from the group consisting of a dollar amount for a revolving line of credit obtained by a leasing company from a lending institution to fund the lease; an interest rate to be paid on the revolving line of credit; insurance coverage appropriate for the funded lease; a vehicle appropriate for a consumer; a lease reviewer for approving, funding and posting the lease; a consumer appropriate for the funded lease; at least one predetermined form and information used by the reviewer; predetermined information used by a vehicle dealership; predetermined information used by the leasing company, predetermined information used by a third party, and combinations thereof, wherein the consumer appropriate for the funded lease is determined using at least one parameter selected from the group consisting of a consumer's weekly income, job history, residential stability, available amount of cash, available trade equity and an amount of equity required to complete a lease transaction.

Andersen et al. teaches the parts of claim:

for providing at least one predetermined system parameter in electronic form selected from the group consisting of a dollar amount for a revolving line of credit obtained by a leasing company from a lending institution to fund the lease (see column 3, line 11-16); an interest rate to be paid on the revolving line of credit (see column 6, line 20); insurance coverage appropriate for the funded lease; a vehicle appropriate for a consumer; a lease reviewer for approving, funding and posting the lease; a consumer appropriate for the funded lease; at least one predetermined form and information used by the reviewer; predetermined information used by a vehicle dealership (see column 6, line 20); predetermined information used by the leasing company, predetermined information used by a third party, and combinations thereof, wherein

the consumer appropriate for the funded lease is determined using at least one parameter selected from the group consisting of a consumer's weekly income, job history, residential stability, available amount of cash, available trade equity and an amount of equity required to complete a lease transaction (see column 18, lines 6-13).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add at least one predetermined system parameter in electronic form selected from the group feature to the system of Simon et al. because Andersen et al. teaches that adding the feature help to improve timely repayment of a loan (see column 2, lines 61-64 of Simon et al.).

35. As per claim 22, Simon et al. and Andersen et al. teach the system of claim 21 described above. Simon et al. further teaches wherein the device capable upon activation of rendering the vehicle operable for a predetermined period of time comprises a device with a microprocessor (see column 6, line 50-column 7, line 3) connected to the vehicle's ignition system to prevent starting of the vehicle without a predetermined authorization (see Fig. 1-3, column 10, lines 9-56).

36. As per claim 25, Simon et al. and Andersen et al. teach the system of claim 22 described above. Simon et al. further teaches wherein the activating means comprises:

entering into the microprocessor (see column 6, line 50-column 7, line 3) upon delivery of the vehicle to the customer a plurality of predetermined authorization codes, each of the codes upon activation rendering the vehicle operable for the predetermined period; supplying to the customer an authorization code for a paid predetermined period; and entering into the

microprocessor the authorization code for the paid predetermined period, thereby rendering the vehicle operable for the predetermined period (see abstract, column 10, lines 9-56).

37. As per claim 26, Simon et al. and Andersen et al. teach the system of claim 25 described above. Simon et al. further teaches wherein the predetermined period is selected from the group consisting of weekly, bi-weekly and monthly (see abstract, column 1, line 29-39).

38. As per claim 27, Simon et al. and Andersen et al. teach the system of claim 25 described above. Simon et al. further teaches wherein the plurality of predetermined authorization codes includes an emergency code for allowing the vehicle to be operated for a period of predetermined short duration in response to an emergency and a reset code for resetting a previously activated emergency code (see column 7, lines 18-37).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Liu whose telephone number is 571-270-1370. The examiner can normally be reached on First Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick James Nolan can be reached on 571-270-0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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